

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEFFREY SNELLER and SHERRY MILLS
SNELLER, husband and wife,

Plaintiff,

v.

CITY OF BAINBRIDGE ISLAND, a
Washington Municipal corporation, et al.,

Defendant.

Case No. C07-5338 RBL

ORDER

THIS MATTER is before the court on the following motions: Defendants' Motion for attorneys' fees and costs [Dkt. # 63], in connection with the Court's prior Order [Dkt. #55] Defendants' Motion to exclude tax return evidence [Dkt. # 66]; Plaintiffs' Motion to Dismiss all remaining claims (including §1983 claims) against individuals with prejudice, and the City and State defendants without prejudice [Dkt. #70]; Defendants' Motion for summary Judgment on all remaining Claims [Dkt. #72]; and the Parties' Joint Stipulation for Dismissal of the State of Washington and associated individual defendants [Dkt. #s76, 77, and 78 (various signatures on same stipulated order)].

The Court has reviewed the City's submittals in support of its claim for approximately \$44,000 in fees and costs associated with the City's Motion to Dismiss, and it has reviewed the Plaintiffs' opposition to that request. The Court agrees that some reduction is warranted. The court will therefore ORDER that the Plaintiffs pay to the City and the individual City defendants \$24,000. The clerk will enter a judgement in that amount, consistent with this Order and the Court's prior Order on this subject [Dkt. #55].

The Plaintiff's Motion to Dismiss [Dkt #70] all of Plaintiffs' remaining claims against all individual defendants, is GRANTED. Those claims are DISMISSED WITH PREJUDICE and without any additional fees or costs. Plaintiffs' claims against the City of Bainbridge are DISMISSED WITHOUT

1 PREJUDICE and without any additional fees or costs.

2 The parties' stipulated Motion to Dismiss the Plaintiffs' claims against the individual state
3 employees (Manning, Fitzpatrick, Wisdom and Robohm) with prejudice [Dkt. #s76 -78] is GRANTED,
4 and the Plaintiffs' claims against these Defendants are DISMISSED WITH PREJUDICE and without fees
5 or costs. The Plaintiffs' claims against the State of Washington are DISMISSED WITHOUT
6 PREJUDICE and without costs.

7 All remaining Motions are DENIED AS MOOT.

8 IT IS SO ORDERED.

9 Dated this 6th day of November, 2008.

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12 RONALD B. LEIGHTON
13 UNITED STATES DISTRICT JUDGE
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